

UNITED STATES OF AMERICA,) 3:04-cr-00010-HDM-VPC
)
Plaintiff,)
) ORDER
)
vs.)
)
JERMAINE A. MITCHELL,)
)
Defendant.)
)

The court appointed defendant counsel to determine whether he qualifies for a reduction of sentence. Based upon probation's report, counsel does not intend to file a motion for a reduction. The court

1 will therefore grant the motion to withdraw.

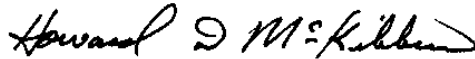
2 Prior to the appointment of counsel, defendant filed a motion for
3 sentence reduction under 18 U.S.C. § 3582(c)(2). The court does not
4 find a response from the United States Attorney's office is necessary
5 for a ruling on defendant's motion. Defendant was sentenced pursuant
6 to an enhanced and statutory requirement of Life imprisonment and is
7 therefore ineligible for a sentence reduction.

8 Accordingly, defendant's motion to withdraw (#230) is **GRANTED**.

9 Furthermore, defendant's motion for sentence reduction under 18
10 U.S.C. § 3582(c)(2) (#226) is **DENIED**.

11 IT IS SO ORDERED.

12 DATED: This 9th day of March, 2016.

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15 UNITED STATES DISTRICT JUDGE
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